

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, a Washington limited liability company; JAMES S. GORDON, JR., a married individual,

Plaintiffs,

STAMPS.COM INC. a Delaware and California corporation; and JOHN DOES, I-X,

Defendants.

NO. C07-386 JCC

**DEFENDANT'S RESPONSE TO
PLAINTIFFS' MOTION FOR A
STAY**

**NOTE ON MOTION CALENDAR:
September 7, 2007**

Defendant Stamps.com Inc. (“Stamps.com”) takes no position on the pending
on for a Stay (Dkt. #16, the “Stay Motion”) filed by Plaintiffs James S. Gordon, Jr.
don”) and Omni Innovations, LLC (“Omni”). However, Stamps.com respectfully
sts that, prior to its decision on the Stay Motion, the Court rule on Stamps.com’s
ng Motion to Dismiss for Failure to State a Claim (Dkt. # 11, the “Motion to
ss”). The Motion to Dismiss is fully briefed and ripe for consideration. In the
this Court determines Plaintiffs’ claims should be dismissed, it will conserve
al resources to dispense with them entirely now, rather than postpone that decision

DEFS.' RESPONSE TO MOT. TO STAY - 1
CASE NO. C07-386 JCC

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1 until later. Accordingly, Stamps.com requests that this Court decide the Motion to
2 Dismiss before ruling on the Stay Motion.

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4 DATED this 4th day of September, 2007.

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7 **NEWMAN & NEWMAN,
ATTORNEYS AT LAW, LLP**

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9 By: 

10 _____
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13 Attorneys for Defendant Stamps.com Inc.

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